



September 20, 2007

AGENDA

COLUMBIA COUNTY PLANNING COMMISSION

The Columbia County Board of Commissioners appoints the Planning Commission. One of its purposes is to conduct public hearings relating to planning and zoning. The information gathered at this public hearing and the recommendations of the Planning Commission are forwarded to the Board of Commissioners. The Board of Commissioners takes the final action on matters presented to them based on information from the public hearing, the recommendation of the Planning Commission and debate among the Board at the Commission meeting. Anyone desiring to speak before the Planning Commission is limited to 10 minutes. If a group wishes to speak, one person must be designated to speak for the group.

Call to Order	Chairperson Hall
Invocation	Jean Garniewicz
Pledge of Allegiance	Brett McGuire
Quorum	Chairperson Hall
Approval of Minutes for September 6, 2007	Chairperson Hall
Reading of the Agenda	Director Browning
Approval of the Agenda	Chairperson Hall

Old Business

Preliminary Plat	Staff
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New Business

Final Plat	Staff
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1. **Brookhaven at Crawford Creek**, William Smith Boulevard, Zoned PUD, 58 units, 10.09 acres, *Commission District 3*. [Map] [Site Plan] [Staff Report]
2. **Kevin Harris**, Old Louisville Road, Zoned R-A, 2 lots, 8.06 acres, *Commission District 4*. [Map] [Site Plan] [Staff Report]

Preliminary Plat	Staff
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3. **LPB Properties**, Fury's Ferry Road, Zoned P-1, 5 lots, 3.40 acres, *Commission District 1*. [Map] [Site Plan] [Staff Report]
4. **Golf Bungalows at Champions Retreat**, Champions Parkway, Zoned PUD, 24 lots, 10.37 acres, *Commission District 3*. [Map] [Site Plan] [Staff Report]

Rezoning	Staff
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5. **RZ 07-09-07**, County Initiated Rezoning of Tax Map 050 Parcel 047F, 5.5 acres located at 805 Creeks Edge Court, from S-1 to R-A. *Commission District 4*. [Map] [Staff Report]
6. **RZ 07-09-08**, County Initiated Rezoning of Tax Map 036 Parcel 004A, 2.36 acres located at 6139 Washington Road, from C-2 to R-4. *Commission District 3*. [Map] [Staff Report]
7. **RZ 07-09-09**, County Initiated Rezoning of Tax Map 072 Parcel 077, 0.11 acres located at 667 Gibbs Road, from C-2 to R-2. *Commission District 3*. [Map] [Staff Report]
8. **RZ 07-09-10**, County Initiated Rezoning of Tax Map 002 Parcel 019A, 0.9 acres located at 7650 Winfield Hills Road, from S-1 to R-4. *Commission District 4*. [Map] [Staff Report]



September 20, 2007

AGENDA

COLUMBIA COUNTY PLANNING COMMISSION

Variance **Staff**

9. **VA07-09-01**, request for variance from Section 90-98, List of lot & structure requirements, Minimum rear building setback, located at 780 Old Louisville Road. *Commission District 4.* [Application] [Map] [Staff Report]
10. **VA07-09-02**, request for variance from Section 90-98, List of lot & structure requirements, Minimum front building setback from street centerline, located at 4065 Columbia Road. *Commission District 2.* [Application] [Map] [Staff Report]

Staff Comments **Staff**

- Subdivision status update

Public Comments..... **Chairperson Hall**

Adjourn **Chairperson Hall**

Columbia County Planning Commission	
Commission District and Commissioners	Planning Commissioner
Ron C. Cross, Chairman	Brett McGuire, Vice-chairman
District 1 [Ron Thigpen]	Jean Garniewicz
District 2 [Tommy Mercer]	Dean Thompson
District 3 [Diane Ford]	Deanne Hall, Chairperson
District 4 [Lee Anderson]	Tony Atkins

Meeting Schedule: September 2007 / October 2007

Board/Commission	Date	Time	Location
Planning Commission	September 20, 2007	6:30 PM	Evans Government Center Auditorium
Planning and Engineering Services Committee	September 24, 2007	8:00 AM	Evans Government Center Auditorium
Board of Commissioners	October 2, 2007	6:00 PM	Evans Government Center Auditorium
Planning Commission	October 4, 2007	6:30 PM	Evans Government Center Auditorium
Board of Commissioners	October 16, 2007	6:00 PM	Evans Government Center Auditorium
Planning Commission	October 18, 2007	6:30 PM	Evans Government Center Auditorium
Planning and Engineering Services Committee	October 23, 2007	8:00 AM	Evans Government Center Auditorium



September 20, 2007

AGENDA

COLUMBIA COUNTY PLANNING COMMISSION

Rezoning and variance items going forward to the Board of Commissioners on this agenda will be heard on *Tuesday, October 2, 2007* at 6:00 PM in the Evans Government Center Auditorium. Anyone desiring to speak at the Board of Commissioners must call (706) 868-3379 before noon on Friday, September 28, 2007 to place their name on the agenda for presentation.





The Columbia County Planning Commission held a staff briefing at 6:00 p.m. in the Evans Government Center Complex in the Planning Division conference room at 630 Ronald Reagan Drive in Evans, on Thursday, September 6, 2007. Items were discussed with no action taken. Their regularly scheduled meeting followed at 6:30 p.m. in the Evans Government Complex auditorium.

Chairperson Hall called the meeting to order. Those in attendance in addition to the Chairperson were; Commissioner Dean Thompson; Commissioner Tony Atkins; Commissioner Jean Garniewicz; Jeff Browning, Division Director; Justin Snyder, Planner II; Dave Van De Weghe, Planner II; Chuck King, Planning Technician; and the general public. Commissioner Brett McGuire was absent.

Commissioner Thompson gave the Invocation followed by Commissioner Garniewicz leading the Pledge to the Flag.

Chairperson Hall declared a quorum with 80% of the members present.

Commissioner Atkins moved to approve the minutes of August 16, 2007. Commissioner Garniewicz seconded. Motion carried 4 - 0.

Mr. Browning read the agenda. He stated that there were no items under old business. Under new business there was one final plat, three preliminary plats, and several rezoning matters for consideration four of which were county initiated. Mr. Browning stated that for the rezoning on Jessie Road, Collins Drive, and Avery Avenue, the applicant requested withdrawal of that petition. There was also a PUD revision and a text amendment to the Columbia County Code of Ordinances for consideration. Mr. Browning stated that the rezoning items requiring board of commissioners approval would be heard at the September 18, 2007 board of commissioners meeting and that the meeting would be held in the auditorium at the Government Center Complex.

Commissioner Garniewicz moved to approve the Agenda as presented. Commissioner Atkins seconded. Motion carried 4 - 0.

Old Business

None

New Business

(Final Plat)

Creek Bend Section II, Phase II, Wrightsboro Road, Zoned R-2, 15 lots, 8.54 acres, Commission District 4.

Mr. Snyder presented the final plat for Creek Bend Section II, Phase II. He stated that the plat was conditionally approved by all departments. The improvements in the field were completed and inspected and scheduled to be accepted by the board of commissioners on September 18, 2007. Mr. Snyder stated that staff was recommending approval.



Commissioner Thompson made the motion to approve the final plat for Creek Bend Section II, Phase II and to include all departmental conditions. Commissioner Garniewicz seconded. Motion carried 4 - 0.

(Preliminary Plats)

Arlington Phase I, Dozier Road, Zoned R-A, 33 lots, 142.20 acres, Commission District 4.

Mr. Snyder presented the preliminary plat for Arlington Phase I. He stated that the plat still had some issues to be worked out regarding storm water management and erosion control and that staff was working with the civil engineer to resolve those outstanding issues. Mr. Snyder also pointed out that alternative septic systems would likely be required for a few lots in the subdivision. Mr. Snyder stated that staff was recommending approval with conditions.

Baldwin Place II, South Old Belair Road, Zoned R-2 RCO, 50 lots, 24.20 acres, Commission District 3.

Mr. Snyder presented the preliminary plat for Baldwin Place II. He stated that the plat was conditionally approved by all departments and that a few minor changes need to be made prior to release of the plans for construction. Mr. Snyder stated that staff was recommending approval with conditions.

Canterbury Farms Phase II, Chamblin Road, Zoned PUD, 75 lots, 67.50 acres, Commission District 4.

Mr. Snyder presented the preliminary plat for Canterbury Farms Phase II. He stated that plat was conditionally approved by all departments. Mr. Snyder stated that staff worked with the developer to create a pedestrian pathway system for the entire development. Staff was also working with the developer to determine when a required left turn lane had to be installed. The applicant was also seeking a PUD revision to change the proposed road and lot layout to accommodate a collector road that would stub to an adjacent property. Mr. Snyder stated that the overall density was not changing and that staff was recommending approval of the plat and the PUD revision with conditions.

Commissioner Thompson made the motion to approve the preliminary plats for Arlington Phase I, Baldwin Place II, and Canterbury Farms Phase II and to include all departmental conditions. Commissioner Garniewicz seconded. Motion carried 4 - 0.

(Rezoning)

RZ 07-09-01, Rezone Tax Map 072E Parcel 003, 0.33 acre located at 254 North Belair Road, from R-2 to P-1. Commission District 3.

Mr. Browning presented the rezoning for property located at 254 North Belair Road. Mr. Browning pointed out the P-1 pattern that was developing along North Belair Road. He stated that the professional properties did have the corridor protection overlay district applied to them and stated that staff was recommending approval.



Calvin Agner, Jr., 254 North Belair Road, appeared in favor of the rezoning. He stated that living on Belair Road had worsened which necessitated rezoning to a nonresidential use.

Commissioner Atkins wanted clarification if the county had an official definition of the term professional as it is used for zoning. Mr. Browning stated that he did not believe there was, but there were prescribed uses in the professional zoning district. Commissioner Atkins stated that in another county, the professional use of a building required someone with a professional license. Mr. Browning stated that to his knowledge, Columbia County's code did not have that provision. Commissioner Thompson asked Mr. Browning about the buffer requirements between the P-1 and the residential. Mr. Browning stated that it would be a five foot side and 10 foot rear structural buffer. He said this property has two side yards and no rear yard.

Chairperson Hall declared the public hearing closed. Commissioner Thompson made the motion to approve RZ07-09-01 and to include departmental conditions. Commissioner Atkins seconded. Motion carried 4 - 0.

RZ 07-09-02, County Initiated Rezoning of Tax Map 052 Parcel 039, 2.75 acres located at 5870 Wrightsboro Road, from C-1 to R-A. Commission District 4.

Mr. Dave Van De Weghe presented the county initiated rezoning located at 5870 Wrightsboro Road. He stated that the property was rezoned to C-1 in 1987 for a convenience store and/or restaurant. Mr. Van De Weghe stated that the closest commercial zoning was 1.5 miles away and the subject property was adjacent to single family homes and other vacant lots. Mr. Van De Weghe also noted that the property was located in the GMP's Harlem Rural Character Area and that the appropriate land uses listed for the area did not include commercial. It was staff's belief that there was no apparent market demand for C-1 use in the area and that the single-family residential zoning district was the most appropriate use. It was also noted with this rezoning that file number RZ07-09-03 proposed rezoning the adjacent C-1 parcel to R-A as well. Staff was recommending approval of the rezoning from C-1 to R-A.

Billy Franke, 366 Gardenia Drive, appeared in opposition of rezoning for the property. He stated that the property was purchased for investment purposes and that they paid a commercial price for the property. Mr. Franke stated that they were not aware of the ordinance that would allow the county to initiate an action to revert the zoning to a more appropriate zoning district. Mr. Franke stated due to the surrounding uses in the area, the school, etc. he felt that the zoning was appropriate as the area was a growing area. Commissioner Atkins wanted clarification that the property was purchased through a tax free exchange. Mr. Franke confirmed that it was. Chairperson asked Mr. Browning if he was aware if there were plans for an interchange in that area. Mr. Browning stated that the county hired a consult to look into an interchange at Louisville Road but to his knowledge Georgia DOT had decided against this interchange.

Commissioner Hall declared the public hearing closed. Commissioner Atkins made the motion to disapprove RZ07-09-02. Chairperson Hall seconded. Discussion occurred between the commissioners. It was agreed that the property owners were not aware of the ordinance that pertained to the county initiated rezoning and wanted the property owner to understand that by making the motion presented, they were being put on notice that if no development occurred within one year of the date of this planning commission meeting, that they would be back before the commission in a year for reconsideration. Motion carried 4 - 0.



RZ 07-09-03, County Initiated Rezoning of a portion of Tax Map 041 Parcel 070, 1.30 acre located at 873 Louisville Road, from C-1 to R-A. Commission District 4.

Mr. Dave Van De Weghe presented the county initiated rezoning for property located at 873 Louisville Road. He stated that the property was rezoned to C-1 in 1987 for a convenience store and/or restaurant. Mr. Van De Weghe stated that the closest commercial zoning was 1.5 miles away and the subject property was adjacent to single family homes and other vacant lots. Mr. Van De Weghe also noted that the property was located in the GMP's Harlem Rural Character Area and that the appropriate land uses listed for the area did not include commercial. It was staff's belief that there was no apparent market demand for C-1 use in the area and that the single-family residential zoning district was the most appropriate use. It was also noted with this rezoning that file number RZ07-09-02 proposed rezoning the adjacent C-1 parcel to R-A as well. Mr. Van De Weghe stated that the land value was already assessed as residential by the Tax Assessor. Staff was recommending approval of the rezoning from C-1 to R-A.

Billy Franke, 366 Gardenia Drive, appeared in opposition of rezoning for the property with the same sentiments as stated before on RZ07-09-02. Mr. Franke stated that he would rather the property automatically revert rather than have to go through this process. Commissioner Hall wanted clarification that it was in fact multiple properties. Mr. Van De Weghe confirmed that there were in fact two properties.

Commissioner Hall declared the public hearing closed. Commissioner Atkins made the motion to disapprove RZ07-09-03. Commissioner Garniewicz seconded. It was agreed that the property owners were not aware of the ordinance that pertained to the county initiated rezoning and wanted the property owner to understand that by making the motion presented, they were being put on notice that if no development occurred within one year of the date of this planning commission meeting, that they would be back before the commission in a year for reconsideration. Motion carried 4 - 0.

RZ 07-09-04, County Initiated Rezoning of Tax Map 031A Parcel 047C, 0.50 acre located at 827 Fairview Drive, from C-2 to R-A. Commission District 4.

Mr. Dave Van De Weghe presented the county initiated rezoning for property located at 827 Fairview Drive. Mr. Van De Weghe stated that the property was rezoned to C-2 in 1988 for a storage garage and the subject property was adjacent to single family homes and other vacant lots. Mr. Van De Weghe also noted that the property was located in the GMP's Harlem Rural Character Area and that the appropriate land uses listed for the area did not include commercial. It was staff's belief that there was no apparent market demand C-2 use in the area and that the single-family residential zoning district was the most appropriate use. Mr. Van De Weghe stated that the land value was already assessed as residential by the Tax Assessor.

No one appeared for or in opposition of the county initiated rezoning.

Commissioner Hall declared the public hearing closed. Commissioner Garniewicz made the motion to disapprove RZ07-09-04. Commissioner Atkins seconded. It was agreed that the property owners were not aware of the ordinance that pertained to the county initiated rezoning and wanted the property owner to understand that by making the motion presented, they were being put on notice that if no development occurred within one year of the date of this planning



commission meeting, that they would be back before the commission in a year for reconsideration. Motion carried 4 - 0.

Commissioner Thompson asked Mr. Browning about the adjacent property as it did not appear to be used as residential. Commissioner Thompson would like the county to look into the use of the property.

RZ 07-09-05, County Initiated Rezoning of Tax Map 031 Parcel 067, 12 acres located at 1002 Appling-Harlem Highway, from P-1 to R-A. Commission District 4.

Mr. Dave Van De Weghe presented the county initiated rezoning for property located at 1002 Appling-Harlem Highway. Mr. Van De Weghe stated that the property was rezoned to P-1 in 1981 for Help's International Ministries' offices and that the property was adjacent to single family homes and other vacant lots. Mr. Van De Weghe also noted that the property was located in the GMP's Harlem Rural Character Area and that the appropriate land uses listed for the area did not include commercial. It was staff's belief that there was no apparent market demand for P-1 use in the area. Mr. Van De Weghe also pointed out that the land value was already assessed as residential by the Tax Assessor.

Charles Simpson, 1077 Wade Drive, appeared in opposition of the rezoning. Mr. Simpson stated that the organization that originally sought the rezoning found another location out of state and left the zoning as it was. Mr. Simpson stated that he was out of the United States for sometime and just returned a year ago. Mr. Simpson stated that he did have interest in the property as P-1. Mr. Simpson questioned how his property was singled out. Mr. Van De Weghe provided information on how the board of commissioners selected the properties brought forward.

Commissioner Hall declared the public hearing closed. Commissioner Garniewicz made the motion to disapprove RZ07-09-05. Commissioner Thompson seconded. It was agreed that the property owners were not aware of the ordinance that pertained to the county initiated rezoning and wanted the property owner to understand that by making the motion presented, they were being put on notice that if no development occurred within one year of the date of this planning commission meeting, that they would be back before the commission in a year for reconsideration. Motion carried 4 - 0.

RZ 07-09-06, Rezone Tax Map 074C Parcels 052, 014, 012, 010, 010A, 027B, 045, 051, 014E, 056, 055, 053, 050, and 027D, 19 +/- acres located at 1421 Collins Drive; 4507, 4529, 4551, 4557 and 4559 Avery Avenue; 4501, 4517, 4523, 4533, 4535, 4537, 4539, and 4549 Jessie Road, from R-2 and R-3A to T-R. Commission District 2.

Mr. Browning stated that the applicant requested withdrawal of their petition.

No one appeared for the public hearing.

Commissioner Hall declared the public hearing closed. Commissioner Thompson made the motion to allow the withdrawal of RZ07-09-06. Commissioner Garniewicz seconded. Motion carried 4 - 0.



PUD Revision, Portion of Tax Map 067 Parcel 113, 41.70 acres located on Columbia Road, Commission District 3.

Mr. Snyder presented the PUD revision for Tax Map 067 Parcel 113 (Tudor Branch development). He stated that the plans went through a series of revisions. The applicant proposed revisions to have smaller lot sizes in Section J. Mr. Snyder stated that the overall density will not be affected. The second point of access to Columbia Road was still shown. The sidewalks must be located on both sides of streets where lot areas fall below 10,000 square feet and should connect to greenspace areas already set aside by the developer. All patio homes must each have at least a single-car garage, and building materials should be stucco, brick, hardy plank, or other structural masonry or natural wood products with vinyl being located only in the rear of the building and on any eaves. Mr. Snyder also pointed out that the developer was still in negotiation with the YMCA for the property at the front of the development. Mr. Snyder stated that staff was recommending approval with conditions.

Jason Linker with Blanchard and Calhoun, 699 Broad Street, appeared in favor of the PUD revision. He stated that they were no longer in negotiation with the YMCA but replaced that with a pool and club house.

Commissioner Garniewicz made the motion to approve the PUD revision for Tax Map 067 Parcel 113 and to include departmental conditions. Commissioner Atkins seconded. Motion carried 4 - 0.

(Text Amendment)

TA07-09-01, Front Setback Requirements for certain portions of Washington Road, Columbia Road, and Flowing Wells Road.

Mr. Browning presented the text amendment to reduce the front setback requirements for Washington Road and Columbia Road and that the change would be applicable for properties within the CPOD (not including single family residential properties). Mr. Browning stated that the current setback from centerline is 125 feet. The proposed setback would be reduced to 100 feet from centerline. Mr. Browning stated that currently 67% of properties did not comply with the 125 foot setback. The reduced setbacks would reduce nonconformity to less than one-half for Washington Road and less than one-fourth for Columbia Road. Mr. Browning pointed out that the trend was toward reduced setbacks with buildings located closer to street line, i.e., Evans Town Center and FF/ETL node. It was noted that there would still be adequate space within existing ROW for arterial improvements. Mr. Browning showed the areas that would be affected and how the reduced setback would yield less nonconformity. Staff was recommending approval of the text amendment.

No one appeared to speak in favor of or against the text amendment.

Commissioner Hall declared the public hearing closed. Commissioner Garniewicz made the motion to approve the Text Amendment to change the minimum front setback from street centerline for certain portions of Washington Road, Columbia Road, and Flowing Wells Road. Commissioner Thompson seconded. Commissioner Atkins commended Mr. Browning on his effort to bring conformity to the existing properties. Motion carried 4 - 0.



*Columbia County Planning Commission
September 6, 2007*

*Public Meeting
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(Staff Comments)

Chairperson Hall commended Mr. Van De Weghe on his efforts with the county initiated rezoning and wanted him to know that his work would not go unnoticed. Chairperson Hall stated that it was hard to implement something when 20 years lapsed and nothing was ever done.

(Public Comments)

None

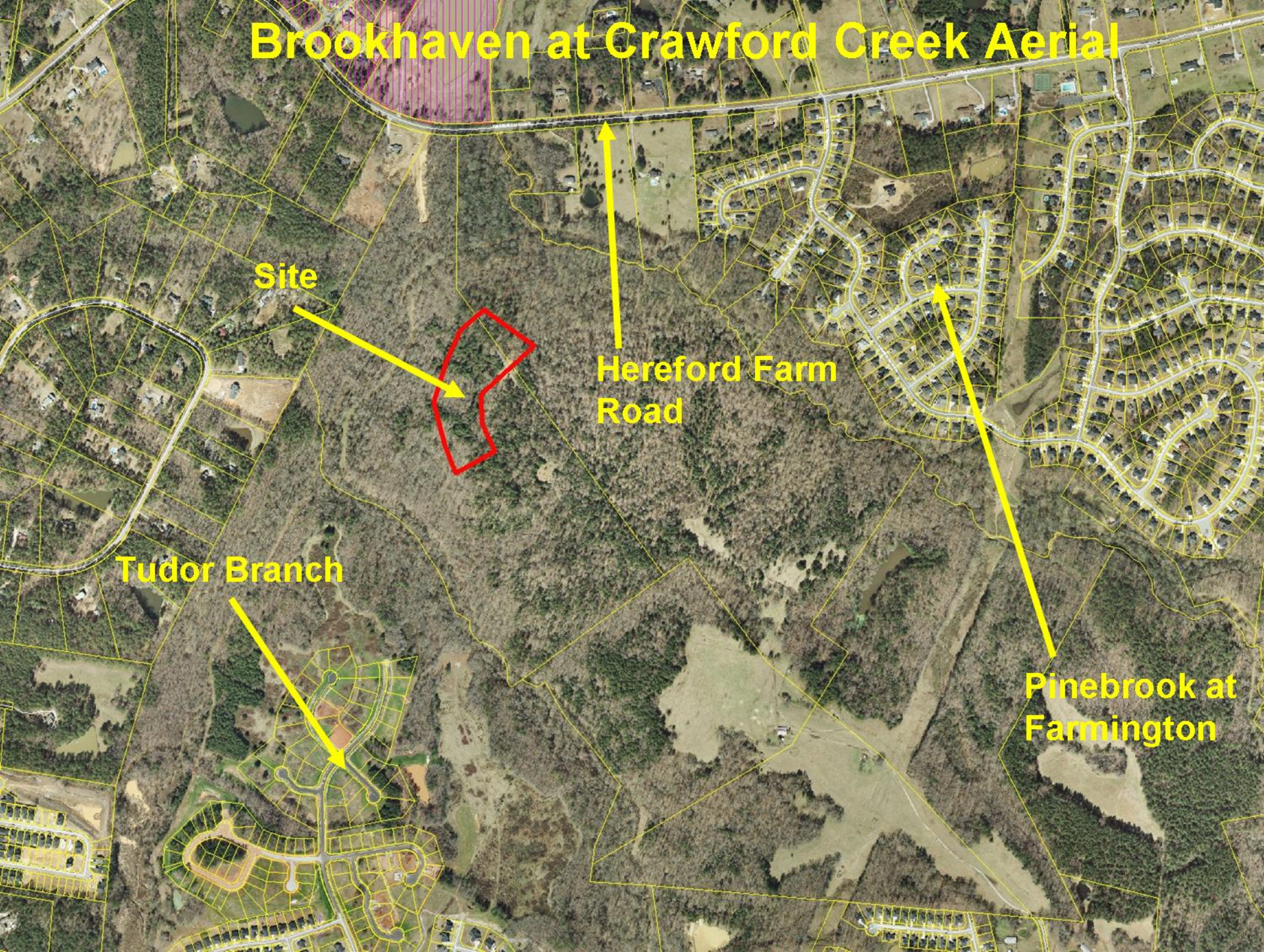
There being no further business, the meeting adjourned at 7:50 p.m. .

Approved,

_____, Chairperson
Deanne Hall

_____, Planning Technician
Chuck King

Brookhaven at Crawford Creek Aerial



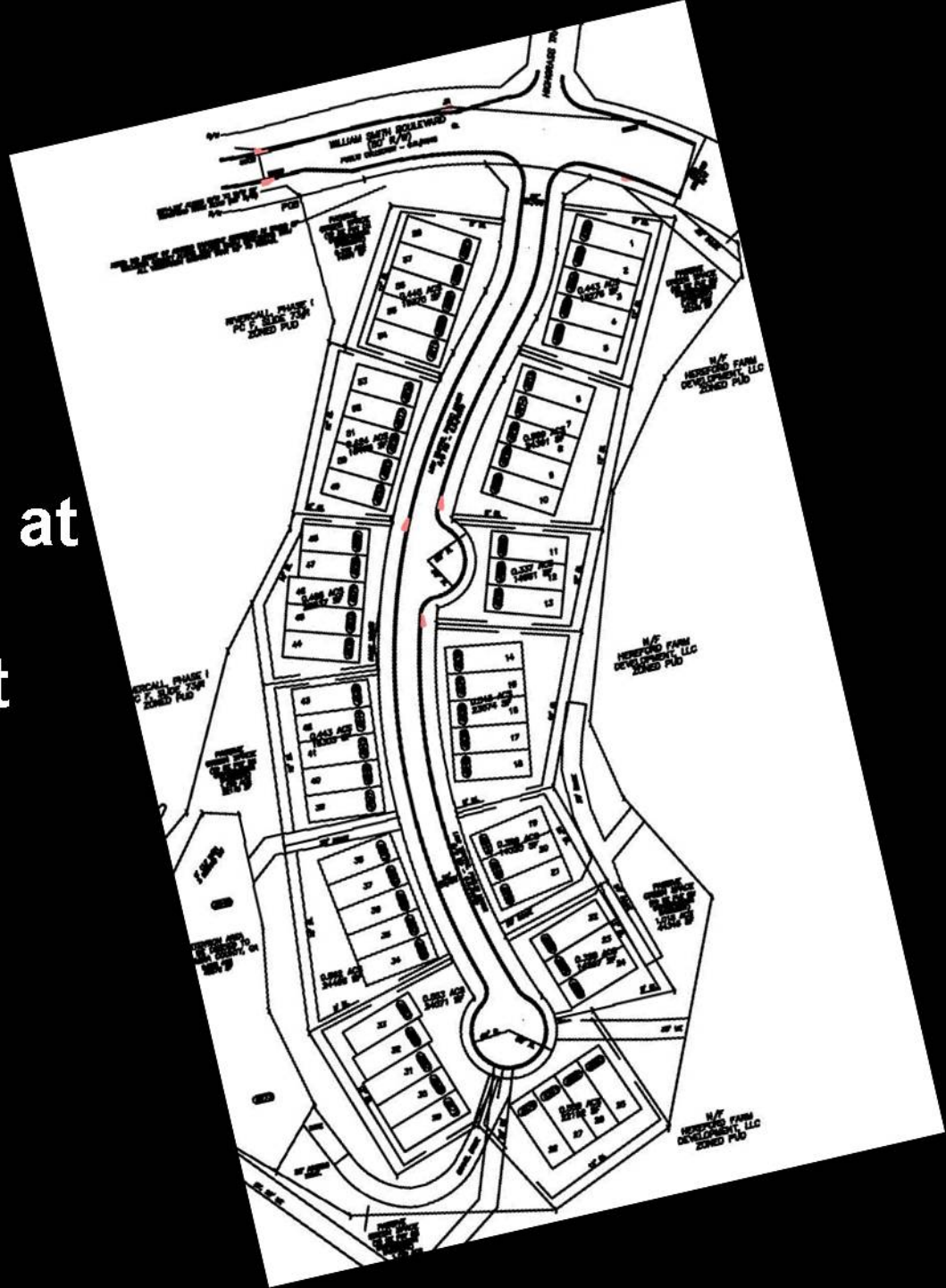
Site

**Hereford Farm
Road**

Tudor Branch

**Pinebrook at
Farmington**

Brookhaven at Crawford Creek Plat





FINAL PLAT

BROOKHAVEN AT CRAWFORD CREEK

Property Information

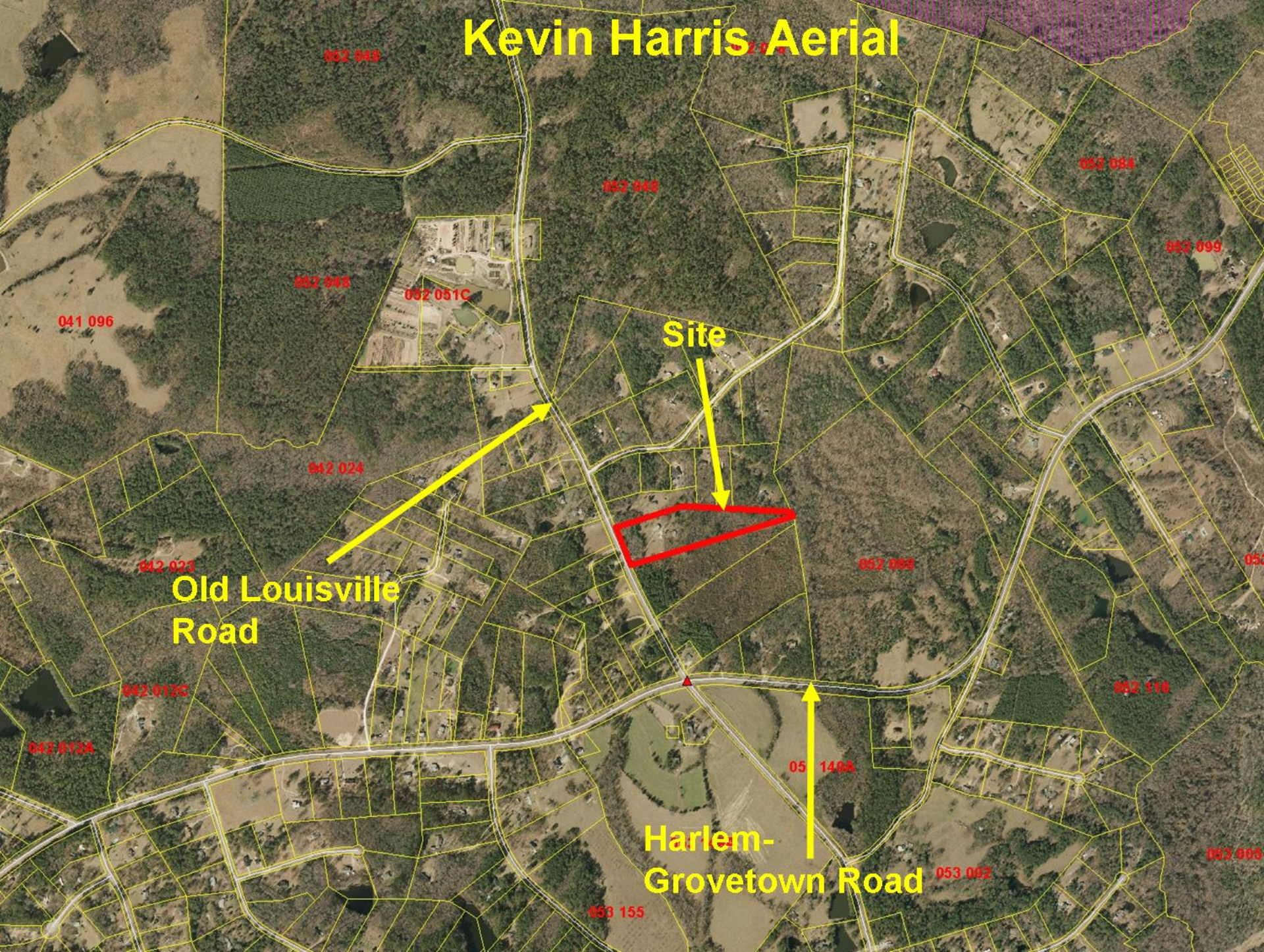
Subdivision Name	Brookhaven at Crawford Creek
Location/address	William Smith Boulevard
Development Acreage	10.09 acres
Number of lots/units	58 units (5.75 units per acre)
Zoning	PUD (Planned Unit Development)
Engineer/Surveyor	Rochester and Associates
Commission District	District 3 (Ford)
Recommendation	Approval with conditions

Summary and Recommendation

The developer, Hereford Farms Development, LLC, seeks approval of a final plat for Brookhaven at Crawford Creek, located on William Smith Boulevard. This section of the Crawford Creek development contains 58 units on 10.09 acres for an average of 5.75 units per acre. The property is zoned PUD (Planned Unit Development). The plat has received the necessary approvals with a few changes to be made to the plat before its release for sale of lots. This item has been taken to the Public Works Committee for review, and BOC acceptance of improvements is scheduled for the September 18, 2007 meeting.

Staff recommends **approval contingent upon BOC acceptance of improvements with all staff conditions included.**

Kevin Harris Aerial

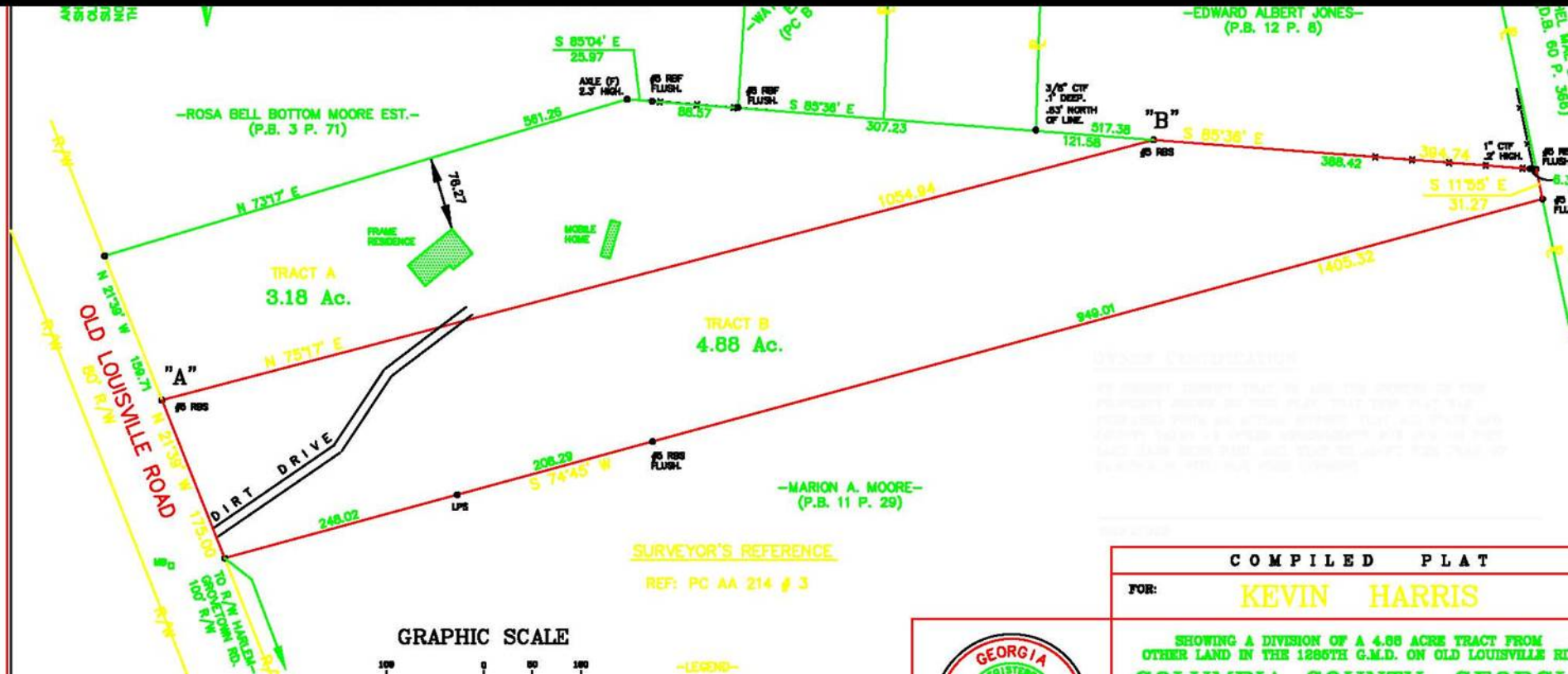


Site

Old Louisville
Road

Harlem-
Grovetown Road

Kevin Harris Plat





FINAL PLAT

KEVIN HARRIS

Property Information

Subdivision Name	Kevin Harris
Location/address	Old Louisville Road
Development Acreage	8.06 acres
Number of lots/units	2 lots (4.03 acres per lot)
Zoning	R-A (Residential Agricultural)
Engineer/Surveyor	John Harriss
Commission District	District 4 (Anderson)
Recommendation	Approval with conditions

Summary and Recommendation

The owner, Kevin Harris, seeks approval of a final plat depicting a subdivision of 2 lots on 8.06 acres for an average of 4.03 acres per lot. The property is zoned R-A (Residential Agricultural). Staff was unable to give administrative approval because one of the proposed lots exceeds the 5:1 maximum lot depth-to-width ratio. The zoning ordinance requires the Planning Commission to determine whether a subdivision lot is permitted to exceed this ratio. In this case, the lot in question would have a depth-to-width ratio of 8:1 due to the long narrow configuration of the parent parcel. Staff is recommending approval of the request due to the unique shape of the parent tract, and because both lots would have 150' of public road frontage and 2.50 acres minimum as required by ordinance. Approval is contingent upon removal of any mobile homes from the property identified as Tract A on the plat. The plat shall not be recorded until these non-conforming structures have been removed.

Staff recommends **approval with conditions**

LPB Properties Aerial



Site

Fury's Ferry Road

Old Fury's
Ferry Road

ED
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NOTE:
ALL BUILDINGS TO BE SINGLE STORY.
NOTE:
BUILDING RENDERINGS MUST BE APPROVED,
MEETING CPD REQUIREMENTS PRIOR TO
ISSUANCE OF A BUILDING PERMIT.

SHEET INDEX	
COVER SHEET	1
EROSION, SEDIMENTATION AND POLLUTION	2



PRELIMINARY PLAT

LPB PROPERTIES

Property Information

Subdivision Name	LPB Properties
Location/address	Fury's Ferry Road
Development Acreage	3.40 acres
Number of lots/units	5 lots (1.47 acres/lot)
Zoning	P-1 (Office-Professional)
Engineer/Surveyor	James Swift & Associates
Commission District	District 1 (Thigpen)
Recommendation	Approval with conditions

Summary and Recommendation

LPB Properties seeks preliminary plat approval for LPB Properties located on Fury's Ferry Road at Old Fury's Ferry Road. The plans call for five lots on 3.40 acres for a density of 1.47 lots per acre. The property is zoned P-1 (Office-Professional). The subdivision was originally reviewed by staff in May and was found to have several deficiencies, including an incorrect zoning classification and a lack of lot information. The civil engineer had also shown lots without any road frontage on a public or private right-of-way, and this issue has now been resolved through discussions with staff to required upgrades to Old Fury's Ferry Road, which is a substandard County Road adjacent to this subdivision. Originally, the applicant had not intended to access Old Fury's Ferry; the applicant is now requesting that the BOC allow direct access to Old Fury's Ferry Road. This is scheduled for the September 18, 2007, BOC meeting.

Engineering staff has been working with the developer's civil engineer to determine what improvements will be necessary as a condition of approving access to Old Fury's Ferry Road. The County Engineer has recommended approving a subdivision variance from the required 50' R/W to have a 40' R/W instead. Additionally, a variance is recommended from the 30' required pavement width. Staff is recommending that Old Fury's Ferry road be widened to 28' instead. Curb and gutters will be required on both sides of the road. GDOT will determine whether an accel-decel lane will be required along Fury's Ferry Road. The potential exists for an accel-decel lane to be required, but this will be determined by traffic generation from the development and existing conditions on the road.

This property is governed by the CPOD site and building design regulations, and all information must be submitted to Building and Commercial Services staff for review prior to issuance of any building permits.

Staff recommends **approval contingent upon BOC removal of the condition limiting access to Fury's Ferry Road** with all staff conditions included.

Golf Bungalows Aerial

Champions
Parkway

Site

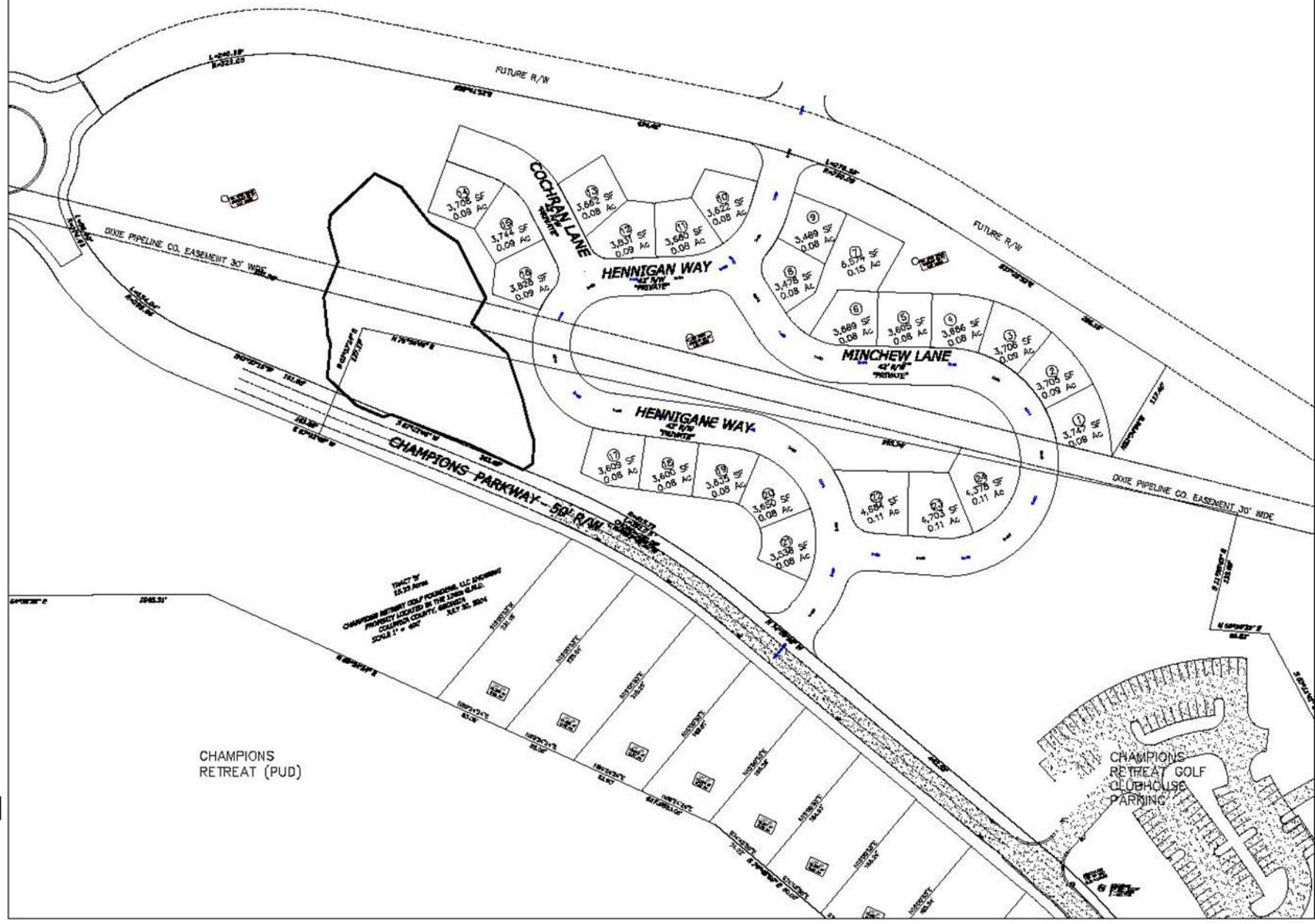
Founders
Village

Bishop's Court



Golf Bungalows Plat

POLLARD LAND CO
(PUD)





PRELIMINARY PLAT

GOLF BUNGALOWS AT CHAMPIONS RETREAT

Property Information

Subdivision Name	Golf Bungalows at Champions Retreat
Location/address	Champions Parkway
Development Acreage	10.37 acres
Number of lots/units	24 lots (2.31 lots/acre)
Zoning	PUD (Planned Unit Development)
Engineer/Surveyor	Bryant Engineering
Commission District	District 3 (Ford)
Recommendation	Approval with conditions

Summary and Recommendation

The developer, Riverwood Land, LLC, seeks preliminary plat approval for the Golf Bungalows at Champions Retreat located on Champions Parkway in Riverwood Plantation. The applicant is seeking 24 lots on 10.37 acres for a density of 2.31 lots per acre. The property is zoned PUD (Planned Unit Development). When the application for subdivision was submitted, staff reviewed it and immediately noted that it was not designed to the subdivision regulations. Staff determined that the roads were substandard, many features such as sidewalks and cul-de-sacs were missing, and the pavement did not reach the property lines in some cases. Staff met with the developer and civil engineer, and they were informed that the following subdivision standards must be met, provided that the planning commission concurs with staff's recommendation:

- Road R/W reduced from 50' to 40' minimum
- Road pavement width reduced from 30' back-of-curb to back-of curb to 25' back-of-curb to back-of-curb
- A 6" concrete header curb is required on both sides of each street in the development
- Sidewalk locations shall be determined by staff who will work with the developer to create an appropriate pedestrian
- A variance from Section 74-80(f) requiring a cul-de-sac at the end of each dead-end road is recommended by the County Engineer due to steep topography and unique site design that would create an unnecessary hardship on the developer to meet this requirement. The fire marshal has agreed that fire safety equipment will be able to back down the road without a problem.
- All streets must be paved to the edge of the R/W.

Staff recommends **approval with conditions** with all departmental comments included.



COLUMBIA RD

COLUMBIA RD

COLUMBIA RD

CREEKS EDGE DR

RZ 07-09-07 Aerial



COUNTY INITIATED

FILE: RZ 07-09-07

S-1 to R-A

Property Information	
Tax ID	Tax Map 050 Parcel 047F
Location/address	805 Creeks Edge Court
Parcel Size	5.5 acres
Current Zoning	S-1 (Special District)
Existing Land Use	Residential
Future Land Use	Residential/Rural
Request	R-A (Residential-Agricultural)
Commission District	District 4 (Anderson)
Recommendation	Approval

Summary and Recommendation

The County zoning ordinance requires the Board of Commissioners to review all properties rezoned more than five years ago where no development or authorized use has occurred and authorizes the Board to initiate rezonings where appropriate. On July 17, 2007, the Board voted to contact the owners of 9 properties zoned S-1 to determine if they still plan to pursue their authorized special use. Among those properties is 805 Creeks Edge Court.

In 1992, the 5.5 acre property was rezoned from R-1 (single-family residential) to S-1 (special district) for a radio tower. In the 15 years since the rezoning, no tower has been built. The only apparent development activity on the property was the construction of a residence in 2006 by the owner, Mr. Northcutt. The site plan approved in 1992 does not include the house, therefore it is a nonconforming building. Staff talked to Mr. Northcutt on August 13, 2007 and he said he is no longer interested in erecting a radio tower. Staff explained rezoning the property to R-A (residential-agricultural) would give him greater flexibility in his use of the property and he consented to the proposed rezoning.

The area in question is located off Columbia Road and the main development type is large lot, single-family residential. All surrounding properties are zoned R-A and staff recommends rezoning the parcel to R-A (residential-agricultural) to bring Mr. Northcutt's house into conformity with the zoning code and allow him a greater range of land uses on his property.

Staff recommends **approval** of RZ 07-09-07 with all departmental comments and conditions included.



COUNTY INITIATED

FILE: RZ 07-09-07

S-1 to R-A

Interdepartmental Review:

Conditions

Engineering: The property is located in the Little Kiokee Creek drainage basin. Post-developed discharge must be less than pre-developed conditions through the 50-year storm. On-site storm water detention will be required.

1. Portions of this property lie within the 100-year flood plain. All "A" zone property must be studied by an appropriate methodology to determine a BFE.
2. State waters are present on the property. If a stream buffer variance is required for any aspect of site work, you must have approval from the Georgia Environmental Protection Department.
3. If the property contains wetlands, a Jurisdictional Determination must be submitted to and approved by the United States Army Corps of Engineers.
4. If site improvements disturb more than one acre, the proper National Pollution Discharge Elimination System permit and associated fees must be submitted to the Georgia Environmental Protection Department and Columbia County 14 days prior to land disturbance.
5. If access to the property is granted along an existing county road, the owner will be responsible for repairing all damage caused by construction vehicles.
6. A site plan must be submitted to and approved by the County Engineer.
7. All proposed improvements must conform to current county standards.

Construction and Maintenance: Access to SR 232 (Columbia Road) must be approved by GDOT.

Health Department: Must contact Health Department if anything requiring septic system use is planned for the property.

Comments

Water and Sewer: County water is available on a six inch line on Creeks Edge Drive. County sewer is not available. This project will not affect the capacity of existing water infrastructure. There are no future plans for sewer extension to the area.

Construction and Maintenance: This project will not affect the priority of planned road projects in the area.

Storm Water: Permanent drainage and utility easements are not required. There are no active projects in the area.

Sheriff: There have not been any accidents on Creek Court within the last twelve months. This project will not affect safety and traffic conditions in the area. There is adequate access for public safety vehicles.

Board of Education: Lewiston Elementary, Columbia Middle, and Greenbrier High Schools are all above capacity. New construction through Columbia County has and will continue to bring families into areas of our school system that are presently overcrowded. When overcrowded conditions occur in any one of our schools, there is a possibility that children will be housed in portable classrooms. With the influx of new subdivisions being built around our schools, the problem with traffic congestion and road access during school morning and afternoon hours as students are being picked up or dropped off will continue to increase. This project is navigable by school buses.

Green space: The property is not located in a targeted area for green space. There are no green space program lands in the area.



COUNTY INITIATED

FILE: RZ 07-09-07

S-1 to R-A

Criteria for Evaluation of Rezoning Request

Criteria Points	Comment
Whether the zoning proposal will permit a use that is suitable in view of the zoning and development of adjacent and nearby property.	The proposed R-A zoning will permit large-lot, residential development. All adjacent parcels are already zoned R-A.
Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.	The R-A request will not adversely affect the nearby neighborhood, as all surrounding parcels are also zoned R-A.
Whether the zoning proposal is compatible with the purpose and intent of the GMP.	The R-A zoning proposal is compatible with the purpose and intent of the GMP.
Whether there are substantial reasons why the property cannot or should not be used as currently zoned.	The owner does not want to pursue the radio tower approved in his S-1 site plan.
Whether the proposal could cause excessive or burdensome use of public facilities or services.	The proposal will not cause excessive or burdensome use of public facilities or services.
Proposal is supported by new or changing conditions not anticipated by the GMP or reflected in existing zoning on the property or surrounding properties.	The proposal is reflected in existing zoning of all nearby properties, and its location in a rural area makes it most appropriate for single family residential development.
Proposal reflects a reasonable balance between the promotion of Health, Safety, and Welfare against the right to unrestricted use of property.	The request for R-A meets this balance test. R-A would provide a more compatible land use and opportunity for expansion of the existing residence and further development and redevelopment of the area as single-family residential.



RZ 07-09-08 Aerial



COUNTY INITIATED

FILE: RZ 07-09-08

C-2 to R-4

Property Information	
Tax ID	Tax Map 036 Parcel 004A
Location/address	6139 Washington Road
Parcel Size	2.36 acres
Current Zoning	C-2 (General Commercial)
Existing Land Use	Vacant
Future Land Use	Commercial
Request	R-4 (Recreation Residential)
Commission District	District 3 (Ford)
Recommendation	Approval

Summary and Recommendation

The County zoning ordinance requires the Board of Commissioners to review all properties rezoned more than five years ago where no development or authorized use has occurred and authorizes the Board to initiate rezonings where appropriate. On July 17, 2007, the Board voted to initiate rezoning proceedings on 18 such properties including 6139 Washington Road.

In April of 1982, 4.23 acres on Washington Road were rezoned from R-4 (residential-agricultural) to C-2 (neighborhood commercial) at the request of the owner, Mr. Bruce Cosby. The owner told the Planning Commission he wanted to erect a 150'x50' building on the site for his company, Keg Creek Supply. Six months later, Mr. Crosby sold 2.36 acres of his property, resulting in two parcels zoned C-2. The property in question is currently vacant, although a sign advertising "Keg Creek Bait and Tackle" suggests a store occupied the site at one time.

With the exception of the adjacent C-2 parcel, all surrounding properties are zoned R-4 and R-A. The adjacent 1.87 acre property contains a boat sales business, although the Growth Management Plan discourages commercial uses in the Lake Thurmond Character Area. Therefore, Staff recommends returning the property to its previous zoning designation of R-A. The area in question is sparsely populated and largely undeveloped, lending itself to low-density, single-family development, as reflected in the Growth Management Plan. Also, the Columbia County Tax Assessor reports the property is already appraised as residential despite its C-2 zoning and rezoning the property to R-4 would not affect its market value.

Additionally, the current zoning is contrary to the intent of the Growth Management Plan, which recommends the concentration of commercial uses in nodes at major intersections. Since no business occupies the site 25 years after C-2 zoning was granted, the motivation for rezoning might have been for speculative purposes. By reverting this unused property to its previous zoning class, the County can



COUNTY INITIATED

FILE: RZ 07-09-08

C-2 to R-4

discourage the rezoning of land purely for speculation and return property to the real estate market in a more realistic zoning class.

Staff recommends **approval** of RZ 07-09-08 with all departmental comments and conditions included.

Interdepartmental Review:

Conditions

Engineering: The property is located in the Clarks Hill drainage basin. Post-developed discharge must be less than pre-developed conditions through the 50-year storm. On-site storm water detention will be required.

1. State waters are present on the property. If a stream buffer variance is required for any aspect of site work, you must have approval from the Georgia Environmental Protection Department.
2. If the property contains wetlands, a Jurisdictional Determination must be submitted to and approved by the United States Army Corps of Engineers.
3. If site improvements disturb more than one acre, the proper National Pollution Discharge Elimination System permit and associated fees must be submitted to the Georgia Environmental Protection Department and Columbia County 14 days prior to land disturbance.
4. Storm water detention will be required unless site improvements result in no net increase in runoff.
5. If access to the property is granted along an existing county road, the owner will be responsible for repairing all damage caused by construction vehicles.
6. Access to the property from SR 47 must be approved by GDOT.
7. A site plan must be submitted to and approved by the County Engineer.
8. All proposed improvements must conform to current county standards.

Construction and Maintenance: GDOT must review request.

Comments

Water and Sewer: County water is available on a twelve inch line on Washington Road. County sewer is not available. This project will not affect the capacity of existing water infrastructure. There are no future plans for sewer extension to the area.

Health Department: Does not need to contact Health Department.

Construction and Maintenance: This project will affect the priority of planned road projects in the area. GDOT to review the proposed change to avoid conflicts with future projects.

Storm Water: Permanent drainage and utility easements are not required. There are no active projects in the area.

Sheriff: There have been accidents on Washington Road within the last twelve months. This project will not affect safety and traffic conditions in the area. There is adequate access for public safety vehicles.

Board of Education: North Columbia, Greenbrier Middle, and Greenbrier High Schools are all above capacity. New construction through Columbia County has and will continue to bring families into areas of our school system that are presently overcrowded. When overcrowded conditions occur in any one of our schools, there is a possibility that children will be housed in portable classrooms. With the influx of new subdivisions being built around our schools, the problem with traffic congestion and road access during



COUNTY INITIATED

FILE: RZ 07-09-08

C-2 to R-4

school morning and afternoon hours as students are being picked up or dropped off will continue to increase. This project is navigable by school buses.

Green space: The property is not located in a targeted area for green space. There are no green space program lands in the area.

Criteria for Evaluation of Rezoning Request

Criteria Points	Comment
Whether the zoning proposal will permit a use that is suitable in view of the zoning and development of adjacent and nearby property.	The current C-2 zoning is not consistent with the prevailing land use pattern. R-4 zoning is much more compatible with the surrounding zoning.
Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.	The R-4 request will not adversely affect the nearby neighborhood. The current zoning of C-2 is much more likely to adversely affect the surrounding properties.
Whether the zoning proposal is compatible with the purpose and intent of the GMP.	The R-4 zoning proposal is compatible with the Lake Thurmond Character Area as described in the GMP. Commercial zoning is incompatible with the character area.
Whether there are substantial reasons why the property cannot or should not be used as currently zoned.	The area is too rural to support the businesses permitted by C-2 zoning, as evidenced by the lack of commercial activity in 25 years.
Whether the proposal could cause excessive or burdensome use of public facilities or services.	The proposal will not cause excessive or burdensome use of public facilities or services.
Proposal is supported by new or changing conditions not anticipated by the GMP or reflected in existing zoning on the property or surrounding properties.	The proposal is reflected in existing zoning of most nearby properties, and its location outside of the nodes makes it most appropriate for recreational-residential development.
Proposal reflects a reasonable balance between the promotion of Health, Safety, and Welfare against the right to unrestricted use of property.	The request for R-4 meets this balance test. R-4 would provide a more compatible land use and opportunity for expansion of existing residences and further development and redevelopment of the area as single-family residential.

GIBBS RD

RZ 07-09-09 Aerial





COUNTY INITIATED

FILE: RZ 07-09-09

C-2 to R-2

Property Information	
Tax ID	Tax Map 072 Parcel 077
Location/address	667 Gibbs Road
Parcel Size	0.11 acre
Current Zoning	C-2 (General Commercial)
Existing Land Use	Vacant
Future Land Use	Commercial
Request	R-2 (Single-Family Residential)
Commission District	District 3 (Ford)
Recommendation	Approval

Summary and Recommendation

The County zoning ordinance requires the Board of Commissioners to review all properties rezoned more than five years ago where no development or authorized use has occurred and authorizes the Board to initiate rezonings where appropriate. On July 17, 2007, the Board voted to initiate rezoning proceedings on 18 such properties including 667 Gibbs Road.

In 1994, 0.6 acre at the corner of Gibbs Road and Washington Road was rezoned from R-2 (single-family residential) to C-2 (general commercial) at the request of the owner, Mr. Bruce Metts for strip retail, including two restaurants. Due to reconfiguration of property lines, the property was eventually reduced to less than 5,000 square feet in size. In 2005, Mr. Metts sold the parcel to Columbia County and no apparent development activity has occurred since that sale.

All adjacent properties are zoned R-2, and the parcel does not meet the minimum lot size for C-2 zoning. Furthermore, the Columbia County Board of Commissioners is still the owner of the property and there are no plans to pursue commercial development at the location. Therefore, Staff recommends returning the property to its previous zoning designation of R-2.

Staff recommends **approval** of RZ 07-09-09 with all departmental comments and conditions included.



COUNTY INITIATED

FILE: RZ 07-09-09

C-2 to R-2

Interdepartmental Review:

Conditions

Engineering: The property is located in the Bettys Branch drainage basin. Post-developed discharge must be less than pre-developed conditions through the 50-year storm. On-site storm water detention will be required.

Construction and Maintenance: GDOT must review request.

Comments

Water and Sewer: County water is available on an eight inch line on Gibbs Road. County sewer is available on an eight inch line on the north side of Washington Road. This project will not affect the capacity of existing water infrastructure. There are no future plans for sewer extension to the area.

Health Department: Does not need to contact Health Department.

Construction and Maintenance: This project will affect the priority of planned road projects in the area. GDOT to review the proposed change to avoid conflicts with future projects.

Storm Water: Permanent drainage and utility easements are not required. There are no active projects in the area.

Sheriff: There have been accidents on Gibbs Road within the last twelve months. This project will not affect safety and traffic conditions in the area. There is adequate access for public safety vehicles.

Board of Education: Evans Elementary is at capacity. Evans Middle and High Schools are all above capacity. New construction through Columbia County has and will continue to bring families into areas of our school system that are presently overcrowded. When overcrowded conditions occur in any one of our schools, there is a possibility that children will be housed in portable classrooms. With the influx of new subdivisions being built around our schools, the problem with traffic congestion and road access during school morning and afternoon hours as students are being picked up or dropped off will continue to increase. This project is navigable by school buses.

Green space: The property is not located in a targeted area for green space. There are no green space program lands in the area.

Criteria for Evaluation of Rezoning Request

Criteria Points	Comment
Whether the zoning proposal will permit a use that is suitable in view of the zoning and development of adjacent and nearby property.	The current C-2 zoning is not consistent with the prevailing land use pattern. R-2 zoning is more compatible with the surrounding zoning.
Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.	The R-2 request will not adversely affect the nearby neighborhood. The current zoning of C-2 is much more likely to adversely affect the surrounding properties.

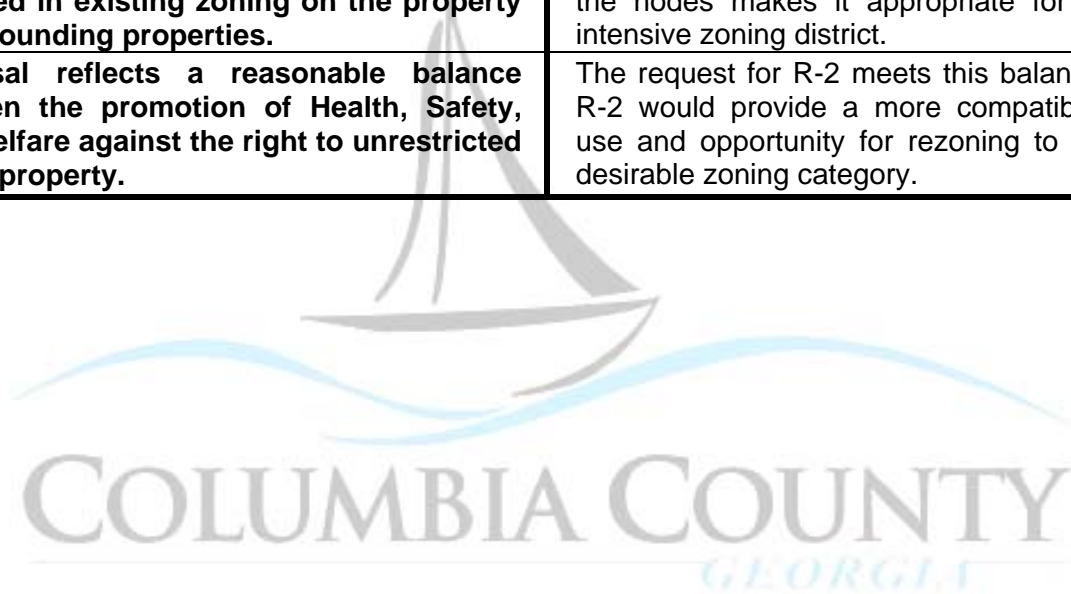


COUNTY INITIATED

FILE: RZ 07-09-09

C-2 to R-2

Whether the zoning proposal is compatible with the purpose and intent of the GMP.	The R-2 zoning proposal is compatible with the purpose and intent of the GMP.
Whether there are substantial reasons why the property cannot or should not be used as currently zoned.	The parcel does meet the minimum C-2 lot size of 20,000 square feet.
Whether the proposal could cause excessive or burdensome use of public facilities or services.	The proposal will not cause excessive or burdensome use of public facilities or services.
Proposal is supported by new or changing conditions not anticipated by the GMP or reflected in existing zoning on the property or surrounding properties.	The proposal is reflected in existing zoning of nearby properties, and its location outside of the nodes makes it appropriate for a less intensive zoning district.
Proposal reflects a reasonable balance between the promotion of Health, Safety, and Welfare against the right to unrestricted use of property.	The request for R-2 meets this balance test. R-2 would provide a more compatible land use and opportunity for rezoning to a more desirable zoning category.



An aerial photograph showing a dense forest of green trees. A yellow line is drawn on the image, forming a triangular shape that points towards the bottom center. The line starts near a road, goes down and to the left, then up and to the right, and finally down and to the left to a point. The road, labeled 'WINFIELD HILLS RD', runs diagonally from the top right towards the center. The text is white and slightly tilted to follow the road's path. The overall scene is a mix of green foliage and brownish ground, possibly a clearing or a path.

WINFIELD HILLS RD

RZ 07-09-10 Aerial



COUNTY INITIATED

FILE: RZ 07-09-10

S-1 to R-4

Property Information	
Tax ID	Tax Map 002 Parcel 019A
Location/address	7650 Winfield Hills Road
Parcel Size	0.9 acre
Current Zoning	S-1 (Special District)
Existing Land Use	Vacant
Future Land Use	Public/Institutional
Request	R-4 (Residential-Recreational)
Commission District	District 4 (Anderson)
Recommendation	Approval

Summary and Recommendation

The County zoning ordinance requires the Board of Commissioners to review all properties rezoned more than five years ago where no development or authorized use has occurred and authorizes the Board to initiate rezonings where appropriate. On July 17, 2007, the Board voted to initiate rezoning proceedings on 18 such properties including 7650 Winfield Hills Road. This is one of two properties zoned S-1 where Staff received the owner's consent to rezone without first issuing a letter of inquiry.

In 1995, the 0.9 acre property was rezoned from R-4 (residential-recreational) to S-1 (special district) for a fire station at the request of the Martinez Volunteer Fire Department. In the 12 years since the rezoning, no development activity has taken place. County fire service is coordinated by the Columbia County Emergency Management Agency (EMA), and EMA Director Pam Tucker told Staff there are no longer any plans for a fire station at the property in question. Ms. Tucker said the Martinez Volunteer Fire Department has dissolved and it would be appropriate to rezone the property.

All surrounding properties are zoned R-4 and Staff recommends returning this property to its previous zoning designation of R-4.

Staff recommends **approval** of RZ 07-09-10 with all departmental comments and conditions included.



COUNTY INITIATED

FILE: RZ 07-09-10

S-1 to R-4

Interdepartmental Review:

Conditions

Engineering: The property is located in the Clarks Hill drainage basin. Post-developed discharge must be less than pre-developed conditions through the 50-year storm. On-site storm water detention will be required.

Construction and Maintenance: Engineering to approve ingress/egress.

Comments

Water and Sewer: County water and sewer is not available. There are no future plans for sewer extension to the area.

Health Department: Does not need to contact Health Department.

Construction and Maintenance: This project will affect the priority of planned road projects in the area. GDOT to review the proposed change to avoid conflicts with future projects.

Storm Water: Permanent drainage and utility easements are not required. There are no active projects in the area.

Sheriff: There have not been any accidents on Winfield Hill Road within the last twelve months. This project will not affect safety and traffic conditions in the area. There is adequate access for public safety vehicles.

Board of Education: North Columbia, Greenbrier Middle, and Greenbrier High Schools are all above capacity. New construction through Columbia County has and will continue to bring families into areas of our school system that are presently overcrowded. When overcrowded conditions occur in any one of our schools, there is a possibility that children will be housed in portable classrooms. With the influx of new subdivisions being built around our schools, the problem with traffic congestion and road access during school morning and afternoon hours as students are being picked up or dropped off will continue to increase. This project is navigable by school buses.

Green space: The property is not located in a targeted area for green space. There are no green space program lands in the area.

Criteria for Evaluation of Rezoning Request

Criteria Points	Comment
Whether the zoning proposal will permit a use that is suitable in view of the zoning and development of adjacent and nearby property.	The proposed R-4 zoning will permit large-lot, recreational-residential development. All adjacent parcels are already zoned R-4.
Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.	The R-4 request will not adversely affect the nearby properties, as all surrounding parcels are also zoned R-4.
Whether the zoning proposal is compatible with the purpose and intent of the GMP.	The R-4 zoning proposal is compatible with the purpose and intent of the GMP.

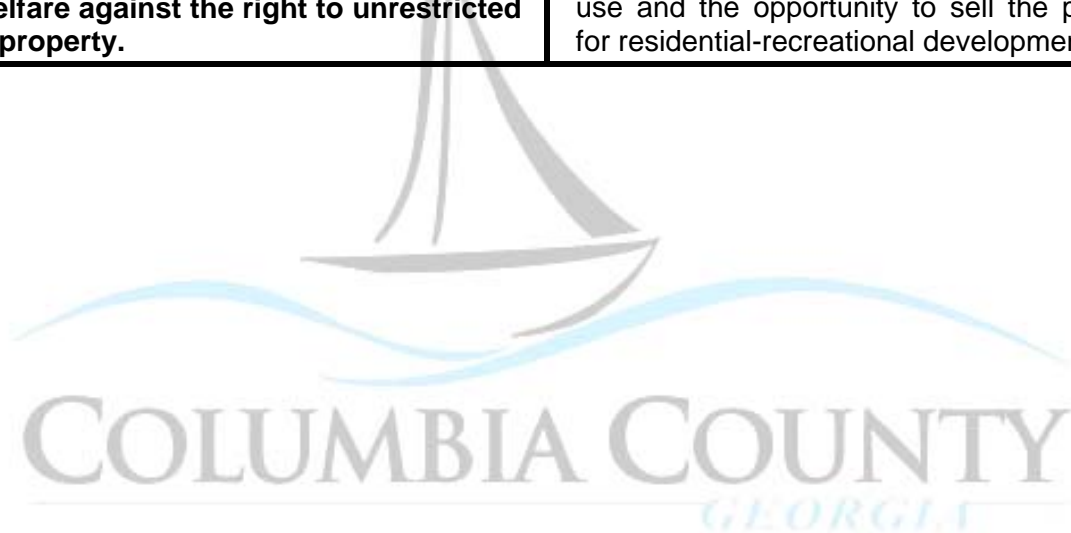


COUNTY INITIATED

FILE: RZ 07-09-10

S-1 to R-4

Whether there are substantial reasons why the property cannot or should not be used as currently zoned.	The County no longer plans to locate a fire station at the site and the current S-1 zoning prohibits any other use.
Whether the proposal could cause excessive or burdensome use of public facilities or services.	The proposal will not cause excessive or burdensome use of public facilities or services.
Proposal is supported by new or changing conditions not anticipated by the GMP or reflected in existing zoning on the property or surrounding properties.	The proposal is reflected in existing zoning of all nearby properties, and its location in the Lake Thurmond Character Area makes it most appropriate for recreational-residential development.
Proposal reflects a reasonable balance between the promotion of Health, Safety, and Welfare against the right to unrestricted use of property.	The request for R-4 meets this balance test. R-4 would provide a more compatible land use and the opportunity to sell the property for residential-recreational development.



VARIANCE APPLICATION

Columbia County, Georgia

1. VARIANCE REQUEST

The undersigned requests that a variance be granted from the Columbia County Code of Ordinances as described below.

Variance from Section 90-98 (List of lot & structure requirements) 3' encroachment into a 20' rear setback in a S-1 zoning district.

REASONS FOR REQUEST

Variances are heard in individual hardship cases of practical difficulty, where the special circumstances or conditions are such that the strict application of the provisions of the Code of Ordinances would deprive the applicant of any reasonable use of their land. Loss in value alone does not justify a variance. Please describe below:

Youth Building for a Christian Education. The building was set up by a contractor with a 3' encroachment in a 20' rear setback. (See attached Drawing)

2. PROPERTY LOCATION

Tax Map # 052 Parcel # 043

Address: 780 Old Louisville Road Acreage: 3.08 Road Frontage 652.7 feet on the North/South/East/West (circle one) side of Old Louisville Property is approximately 300 feet from the intersection of Louisville Road and Old Louisville Road

The attached plat for the property was prepared by John Harriss and is dated 4/24/74

3. APPLICANT AND OWNERSHIP INFORMATION

Owner: Philadelphia Methodist Church

Address 780 Old Louisville Road

City Harlem Zip Code 30814

Phone # 706-556-3209 State GA

Applicant SAME

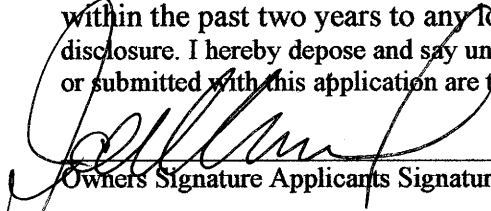
Address _____

City _____ Zip Code _____

Phone # _____ State _____

4. DISCLOSURES

Does any local government official or member of the family have a financial interest in property, or has applicant made campaign contributions in the aggregate of \$250 or more within the past two years to any local government official (yes or no). If yes, submit full disclosure. I hereby depose and say under the penalty of perjury that all of the statement contained in or submitted with this application are true.


Owners Signature Applicants Signature

CAM. TRUSTEES

Subscribed and sworn to before me on 9th day August of 2007

By:  Notary Public

Please return original notarized application along with all documents along with your \$535.00 application fee to:

Columbia County Planning and Zoning Division

P. O. Box 498

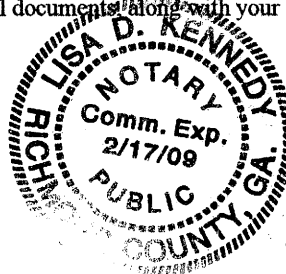
630 Washington West Drive

Evans, GA 30809

FILE #:

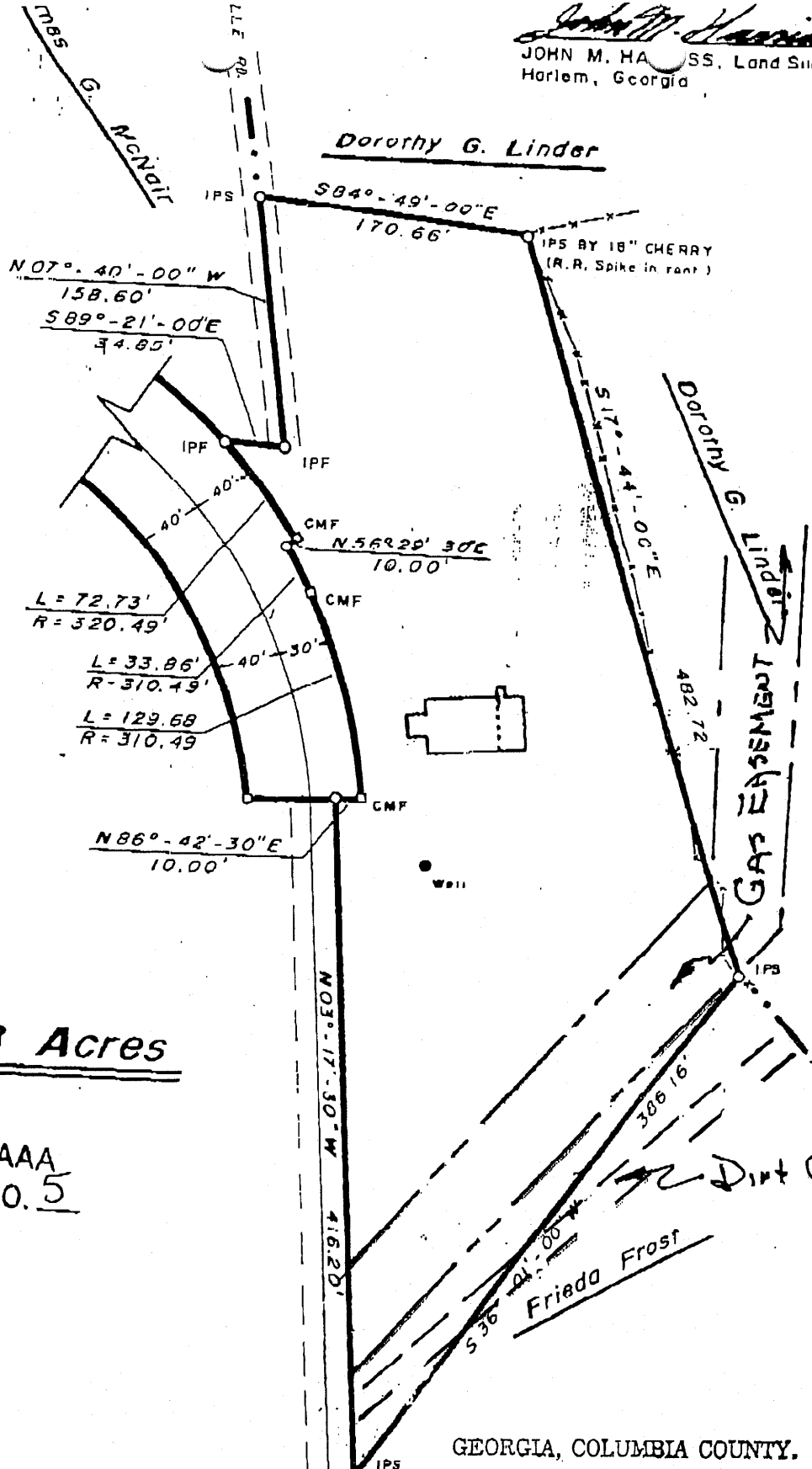
DATE RECEIVED:

Phone 706-868-3400 Fax 706-868-3381



John M. Harris
JOHN M. HARRIS, SS. Land Surveyor, Ga. No. 1769
Harlem, Georgia

Dorothy G. Linder



3.08 Acres

AT CABINET AAA
DE 299 NO. 5

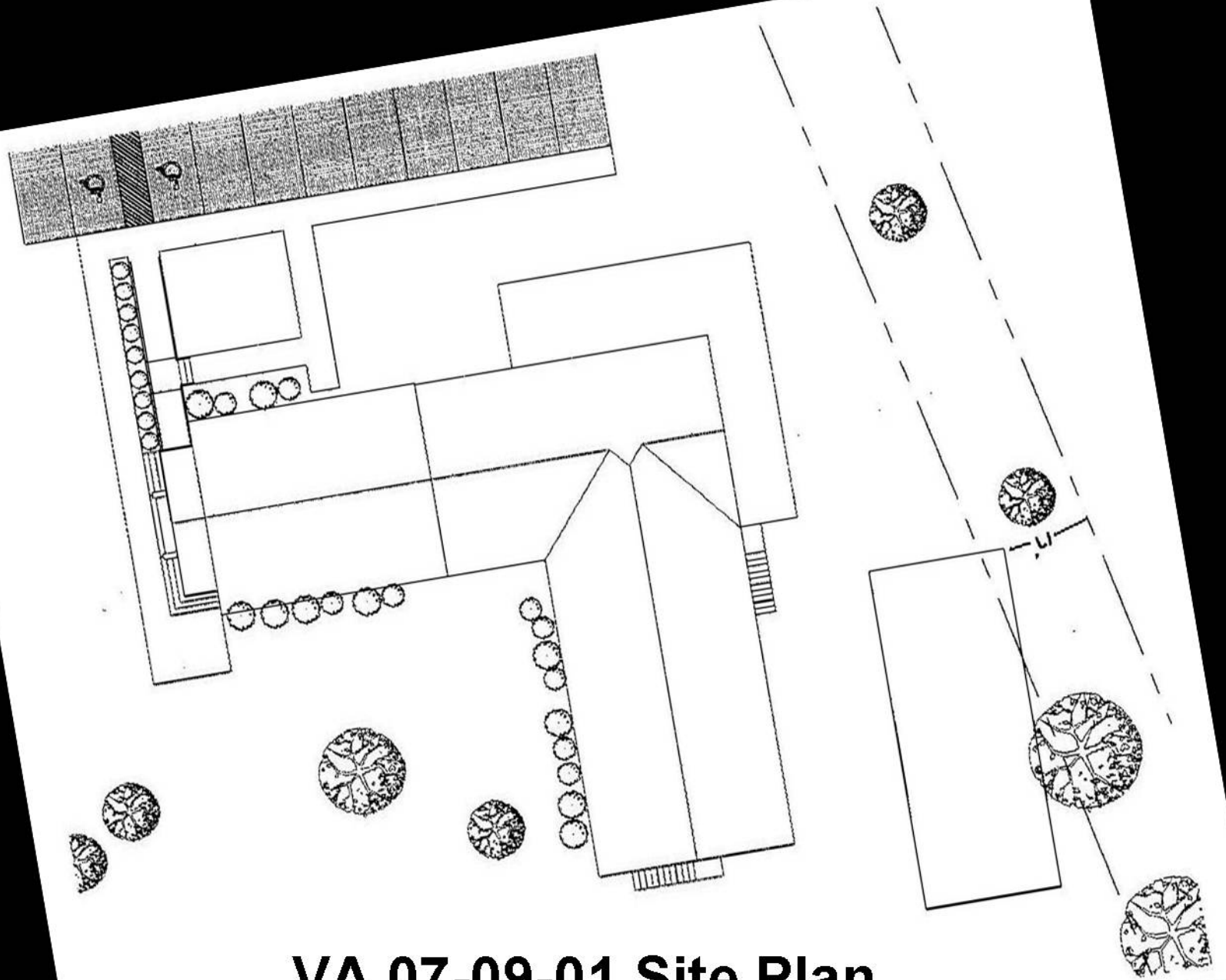
GEORGIA, COLUMBIA COUNTY.
FILED AND RECORDED 10 A.M. 4-24-74
Plot BOOK 4 PAGE 176
G. B. POLLARD, JR., CLERK

PLAT OF SURVEY

12/31/74



VA 07-09-01 Aerial



VA 07-09-01 Site Plan



VARIANCE

FILE: VA 07-09-01

September 20, 2007

Property Information	
Tax ID	Tax Map 052 Parcel 043
Location/address	780 Old Louisville Road
Parcel Size	3.0 acres
Current Zoning	S-1 (Special District)
Existing Land Use	Developed
Proposed Land Use	Church
Request	Variance of Section 90-98, <i>List of lot and structure requirements</i> , reduce the minimum rear building setback from 20 feet to 17 feet
Commission District	District 4 (Anderson)
Recommendation	Disapprove

Summary and Recommendation

Philadelphia United Methodist Church, owner and applicant, requests a 3 foot variance to the rear setback requirements in the S-1 zoning district for property located at 780 Old Louisville Road. Staff is not recommending approval because the church shows no justification for the variance.

The variance is a provision of law that excuses a property owner from following certain provisions of the law or allows the property owner to follow different standards. The variance allows the county to grant special treatment. For that reason the variance requires that the property owner must show why the exceptional treatment is necessary for beneficial use of the property and how, if the variance is not granted, no beneficial use of the property exists. See item number 5 below. The applicant's application merely states "The building was set up by a contractor with a 3' encroachment in a 20' rear setback."

From this explanation it is clear that the building was located on the site in violation of the zoning ordinance. There is no indication that the zoning infraction occurred or is justified because of any physical characteristics of the site (steep slopes, sink holes, narrow width or a similar feature). The statement simply says the contractor placed the building in the wrong place. The variance is not intended to give special treatment due to an error on the part of the property owner or the contractor.

The zoning code provides guidelines for evaluating a request for a variance; these provisions are copied below. Staff would comment that there are no special circumstances or conditions unique to the property (see points 1, 2 and 3 below) and none are claimed in the variance request. There is no claim that adhering to the 20 foot setback requirement would have been sufficiently difficult as to deprive the applicant of reasonable use of the land. In fact reasonable use of the land already is



VARIANCE

FILE: VA 07-09-01

September 20, 2007

occurring with the church facility that has been on the site for years. The building being added also could have been placed on the property and meet required setbacks.

Staff would also point out that point 4 requires that the county find that the variance, if granted, will be in harmony with the surrounding area, *assuming the bases (points 1 through 3) for granting the variance exist*. Point 4 does *not* authorize granting a variance when none of the variance criteria do not exist (as in this case) simply because it would be the easy solution and no will be affected. Provision 4 requires that the justifications for a variance do exist *and* the appropriate relief through the variance will not have an adverse impact on the surrounding area.

Variance provisions

Variances from the terms of this chapter may be recommended by the planning commission in such individual hardship cases of practical difficulty or unnecessary hardship upon a finding by the planning commission based on the following:

- (1) There are special circumstances or conditions unique to the property that do not generally apply in the district.
- (2) The special circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.
- (3) Topographical or other conditions peculiar and particular to the site are such that strict adherence to the requirements of this chapter would cause the owner unnecessary hardship, and would not carry out the intent of this chapter, and that there is no feasible alternative to remedy the situation.
- (4) If granted, the variance shall be in harmony with the general purposes and intent of this chapter, and shall not be injurious to the neighborhood or detrimental to the public welfare.
- (5) In reviewing an application for a variance, the burden of showing that the variance should be recommended and/or granted shall be upon the person applying for the variance.
- (6) When recommending a variance, the planning commission, or the board of commissioners, when granting a variance, may establish reasonable conditions concerning the use of such property, and may establish an expiration date for such variance.
- (7) Any variance recommended and/or authorized is to be set forth in writing in the minutes of the planning commission and the board of commissioners, as the case may be, with the reasons for which the departure was justified, and the conditions under which the variance was granted.

Interdepartmental Review

Conditions
Comments



VARIANCE

FILE: VA 07-09-01

September 20, 2007

Criteria for Evaluation of Variance Request

Criteria Point	Comment
There are special circumstances or conditions unique to the property that do not generally apply in the district.	There is no indication that any special circumstances exist to justify the variance. None are stated in the application.
The special circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.	Reasonable use of the property already is occurring. The new structure could have been located to meet the required setbacks. The contractor located the building in violation of the setbacks. The proper remedy would have been to relocate the modular structure before it was set on its permanent foundation.
Topographical or other conditions peculiar and particular to the site are such that strict adherence to the requirements of this chapter would cause the owner unnecessary hardship, and would not carry out the intent of this chapter, and that there is no feasible alternative to remedy the situation.	There are no topographical conditions peculiar to this property that cause hardship to the land owner.
If granted, the variance shall be in harmony with the general purpose and intent of this chapter, and shall not be injurious to the neighborhood or detrimental to the public welfare.	The granting of this variance would not cause any adverse impacts to surrounding property because the area is rural and sparsely populated.
In reviewing an application for a variance, the burden of showing that the variance should be recommended and/or granted shall be upon the person applying for the variance	This application shows no justification for the variance other than the contractor placed the building in violation of the zoning setbacks.
When recommending a variance, the planning commission, or the board of commissioners, may establish reasonable conditions concerning the use of the property and may establish an expiration date for such variance	The variance is not recommended by staff because the justifications for granting a variance do not exist.

VARIANCE APPLICATION

Columbia County, Georgia

1. VARIANCE REQUEST

The undersigned requests that a variance be granted from the Columbia County Code of Ordinances as described below.

Variance from the minimum building line (MBL) from Columbia Road and, if necessary, Flowing Wells Road, for non-conforming structure located at 4065 Columbia Road, Martinez, GA

REASONS FOR REQUEST

Variances are heard in individual hardship cases of practical difficulty, where the special circumstances or conditions are such that the strict application of the provisions of the Code of Ordinances would deprive the applicant of any reasonable use of their land. Loss in value alone does not justify a variance. Please describe below:

See attached Exhibit "A", made a part hereof

2. PROPERTY LOCATION

Tax Map # 079 Parcel # 084

Address: 4065 Columbia Road Acreage: .67 Road Frontage 269.88 feet on the

North/South/East/West (circle one) side of Columbia Road Property is approximately at feet from the intersection of Flowing Wells Road

The attached for the property was prepared by Toole Surveying, Co, Inc. and is dated 06/08 200 7

3. APPLICANT AND OWNERSHIP INFORMATION

Owner Wachovia Bank, N.A.

Applicant First Citizens Bank and Trust, Agent

Address 225 Water St, 8th Floor

Address P O Box 29

City Jacksonville Zip Code 32202

City Columbia Zip Code 29202-0029

Phone # 904-489-3492 State FL

Phone # 803-733-3615 State SC

ATTN: Joni Lawler

ATTN: Mike Parker

4. DISCLOSURES

Does any local government official or member of the family have a financial interest in property, or has applicant made campaign contributions in the aggregate of \$250 or more within the past two years to any local government official NO (yes or no). If yes, submit full disclosure.

I hereby depose and say under the penalty of perjury that all of the statement contained in or submitted with this application are true.

F. Eric Heintz
F. ERIC HEINTZ
Owners Signature VICE PRESIDENT

Michael Parker
MICHAEL PARKER
Applicants Signature SR VICE PRESIDENT

Subscribed and sworn to before me on 15 day of AUGUST 2007

By: Joni Marie Lawler Notary Public

Please return original notarized application along with all documents, along with your \$535.00 application fee to:

Columbia County Planning and Zoning Division
P. O. Box 498
630 Washington West Drive
Evans, GA 30809

JONI MARIE LAWLER
Notary Public - State of Florida
Commission # DD342859
My Commission Expires September 20, 2008

FILE #: VA 07-09-07
DATE RECEIVED:

EXHIBIT "A"

(To Variance Application for 4065 Columbia Road)

Owner acquired subject property as part of a merger with South Trust Bank, successor by merger to the titled owner- First Federal Savings and Loan Association.

The use of the property was a branch bank, and it is the best understanding of the Applicant that the property was used for a branch bank since approximately 1974 or 1975.

It is the further understanding of the Applicant, based on information provided by Toole Surveying Company, that, as a result of the widening of Flowing Wells Road, the current structure is nonconforming as to the MBL for Columbia Road and may be nonconforming as to the MBL for Flowing Wells Road.

It is assumed that the structure did not violate the MBL for Columbia Road or Flowing Wells Road when built.

A variance for the structure from the MBL from Columbia Road and, if necessary, from the MBL from Flowing Wells Road would conform to the requirements for a variance set forth in the Code of Ordinance of Columbia County, Georgia.



FLOWING WELLS RD

COLUMBIA RD

COLUMBIA RD

MAYWOOD DR

MBIA RD

RD

VA 07-09-02 Aerial



VARIANCE

FILE: VA 07-09-02

September 20, 2007

Property Information	
Tax ID	Tax Map 079 Parcel 084
Location/address	4065 Columbia Road
Parcel Size	.67 acre
Current Zoning	C-2 (General Commercial)
Existing Land Use	Developed (Bank)
Proposed Land Use	General Commercial
Request	Variance of Section 90-98, <i>List of lot and structure requirements</i> , reduce the minimum front building setback from street centerline
Commission District	District 2 (Mercer)
Recommendation	Approval for canopy

Summary and Recommendation

Wachovia Bank, N.A., owner and First Citizens Bank and Trust, Agent, are requesting a variance in the front yard setback required along Columbia Road and for a variance for the canopy over the drive through facilities along Flowing Wells. The required setback is 125 feet from road centerline along Columbia Road. The building on the site is 112 feet from centerline, thus 13 feet within the required setback. The main building meets the setback requirements along Flowing Wells. However, the canopy is required to be 50 feet from the property line and is only 33 feet thus requiring a variance of 17 feet.

The setback for the main building along Flowing Wells should not be an issue. The bank currently meets the setback requirements for a collector road with the exception of the canopy. Staff is suggesting that the setback variance along Flowing Wells for the canopy is justified because the building has been in this location for several years and some right-of-way expansion may have taken place through the years. Further, the bank property is very oddly shaped along Flowing Wells with the portion of the property at the intersection forming a wedge, and with Flowing Wells intruding into the property on the northern side of the property where the canopy is located. The odd shape of the lot has the effect of deepening the front setback requirement along Flowing Wells. The canopy over the drive in window has different setback requirements that are intended to be less restrictive on canopies. In this instance, due to the shape of the lot, the canopy setback requirements likely are more onerous. Staff would suggest that a 17 foot variance from the property line may be needed for the canopy.

Staff would suggest that any action to recommend the variance along Columbia Road should be conditioned on pursuing a solution of reducing the required setbacks for not only this property but all



VARIANCE

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of the commercial properties along Columbia Road east of Dowling Drive and along Washington Road between the Richmond County line and Kroger Road.

A text amendment to change the required setbacks from 125 feet to 100 feet along these roads already has been approved by the Planning Commission and will be considered by the Board of Commissioners on first reading on September 18, 2007. If passed it will be considered for final reading on October 2, 2007. The request for a variance would be scheduled for its one and only reading on October 2, 2007 as well.

Both a variance and a general reduction in setbacks are not needed along Columbia Road. Staff's recommendation would be to address the issue along Columbia Road with the more general change in required setbacks rather than by granting the variance.

Interdepartmental Review

Conditions

Criteria for Evaluation of Variance Request

Criteria Point	Comment
There are special circumstances or conditions unique to the property that do not generally apply in the district.	There are not special circumstances for the main building in that many buildings in the area do not meet current setback requirements. For this reason a change to the setback requirements is more appropriate. The setback for the canopy may be a unique situation justifying a variance.
The special circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.	If a variance for the canopy is not granted use of the building as it currently exists would not be possible if the building has remained vacant for more than one year.
Topographical or other conditions peculiar and particular to the site are such that strict adherence to the requirements of this chapter would cause the owner unnecessary hardship, and would not carry out the intent of this chapter, and that there is no feasible alternative to remedy the situation.	The unique alignment of Flowing Wells Road and the plans for widening Flowing Wells is having a significant impact on this property not experienced by most other properties in the area.



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If granted, the variance shall be in harmony with the general purpose and intent of this chapter, and shall not be injurious to the neighborhood or detrimental to the public welfare.	The variance for the canopy would not have a deleterious effect on the area; it already exists.
In reviewing an application for a variance, the burden of showing that the variance should be recommended and/or granted shall be upon the person applying for the variance	The applicant has demonstrated that the existing structure may not meet the setback requirements for a canopy.
When recommending a variance, the planning commission, or the board of commissioners, may establish reasonable conditions concerning the use of the property and may establish an expiration date for such variance	The building exists in its current configuration and the variance will not permit any further encroachment into the setbacks. As long as the building functions as a bank in its current configuration it should not require any further conditions.

